IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11649 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL
and
Hon'ble MR.JUSTICE R.R.TRIPATHI

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VALLABH COOPERATIVE HOUSING SOC LTD
Versus
AHMEDABAD URBAN DEVELOP AUTH.

Appearance:
M/S.VYAS ASSOCIATES for Petitioner

CORAM : MR.JUSTICE B.C.PATEL
and
MR.JUSTICE R.R.TRIPATHI

Date of decision: 15/11/2000

ORAL JUDGEMENT

(Per : MR.JUSTICE B.C.PATEL)

#. Rule. Mr. D.N. Patel, learned counsel, waives service of rule on behalf of the Ahmedabad Urban Development Authority (AUDA). At the request of learned counsel for the parties, this matter is taken up for final hearing today.

#. Mr. D.D.Vyas, learned senior counsel for the petitioner-society has drawn our attention to para 3 of the petition which is filed on oath, wherein it is stated that the members of the petitioner-society have made sufficient provision for the funds of about Rs. 7.00 lacs which is the likely cost of the installation of fire safety devices. In para 3 of the petition, it is stated that the petitioner-society has already paid Rs.

50,000/being advance payment to M/s. High Rise Fire Protection System, Ahmedabad. It is further submitted that the work has already commenced. In view of this, it is submitted that within a period of 8 weeks, fire safety system in accordance with the rules will be made available for the building in question. In view of the statement, we think it just and proper to protect the petitioner-society for a period of 8 weeks and till then, there shall be no disconnection of essential services on the ground that the society has not provided the fire safety system. An undertaking shall be filed by the petitioner-society to the aforesaid extent within a period of one week.

#. Ahmedabad Municipal Corporation and AUDA are directed to submit a report after a period of 8 weeks and particularly after the society submits an application in prescribed form to the AUDA with regard to fire safety system. Society is directed to submit application soon after completion of 8th week. Accordingly, we allow the petition. Rule is made absolute with no order as to costs.

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